

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

JEFFTEX INTERNATIONAL LTD.,

Plaintiff,

vs.

JPI TRADING CORP. and JOSEPH SAFDIEH,

Defendants.

CIVIL ACTION NO.: 07CV10460
(TPG)

**NOTICE OF MOTION BY JPI TRADING CORP. AND JOSEPH SAFDIEH TO
DISMISS THIS ACTION WITH PREJUDICE PURSUANT TO FRCP 12**

PLEASE TAKE NOTICE, that upon the annexed Declaration of Thomas G. Carulli, Esq. and the exhibits annexed thereto and defendants' Memorandum of Law in Support of this Motion, the undersigned will move this Court as soon as counsel may be heard before the Honorable Thomas P. Griesa, at the United States Courthouse, 500 Pearl Street, New York, New York, for dismissal of this action with prejudice for *res judicata*.

Dated: New York, New York
January 23, 2008

KAPLAN, VON OHLEN & MASSAMILLO, LLC

By: /s/ Thomas G. Carulli
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